

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 3697 of 1997

For Approval and Signature:

HON'BLE MR.JUSTICE K.S.JHAVERI

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1. Whether Reporters of Local Papers may be allowed : NO  
to see the judgement?
  2. To be referred to the Reporter or not? : NO
  3. Whether Their Lordships wish to see the fair copy : NO  
of the judgement?
  4. Whether this case involves a substantial question : NO  
of law as to the interpretation of the Constitution  
of India, 1950 of any Order made thereunder?
  5. Whether it is to be circulated to the concerned : NO  
Magistrate/Magistrates, Judge/Judges, Tribunal/Tribunals?

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NAGJIJI VAGHAJI THAKORE

Versus

DISTRICT DEVELOPMENT OFFICER  
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Appearance:

1. Special Civil Application No. 3697 of 1997  
MR BG JANI for Petitioner No. 1  
NOTICE SERVED BY DS for Respondent No. 1  
GOVERNMENT PLEADER for Respondent No. 2
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CORAM : HON'BLE MR.JUSTICE K.S.JHAVERI

Date of decision: 08/04/2004

ORAL JUDGEMENT

The petitioner was elected as Sarpanch in June

1995. A criminal complaint was filed against him on 2nd October 1995, pursuant to which, a notice under Section 59(1) of the Gujarat Panchayats Act, 1993 was issued on 19th July 1995 and the District Development Officer suspended the petitioner by order dated 16th October 1996. The petitioner challenged the said order by way of Appeal No. 128 of 1996 before the Development Commissioner, respondent No.2 herein.

2. While admitting the appeal, status-quo was granted, but by judgment and order dated 19th April 1997, the appeal was dismissed.

3. This Court, while issuing notice, has granted status-quo on 8th May 1997 and while admitting the matter, the status-quo was confirmed till the final disposal of the petition.

4. Since the petitioner was elected in the year 1995, and as the term of the Sarpanch is five years, the petition has become infructuous. Therefore, the petition stands dismissed as having become infructuous. Interim relief shall stand vacated. Rule is discharged. No order as to costs.

(K.S. Jhaveri, J.)  
Sreeram.